UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,055	11/02/2000	Hiroyuki Takahashi	CANO-014	6621

7590   05/04/2005

Rossi & Associates
PO Box 826
Ashburn, VA 20146-0826

EXAMINER
PHAM, THIERRY L

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/705,055	TAKAHASHI, HIROYUKI
	Examiner	Art Unit	
	Thierry L Pham	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>1</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 November 2004*.

2a)☐ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-16,18-31,33-46 and 48-67* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *1, 3-16, 18-31, 33-46, 48-67* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I: Claims 1, 3-5, 13-15, 16, 18-19, 31, 33-35, 43-45 drawn to an image processing apparatus for judging whether the predetermined print attributes belong to a particular printing device and to re-execute if the judge is failed/negative, and to route the image data to the respective selected image forming apparatus according to predetermined attributes, classified in class 358, subclass 1.9.

Group II: Claims 6-7, 21-22, 36-37 drawn to an image processing apparatus including a delimiter paper features for inserting a blank media/paper between each printed page by different image forming apparatuses, classified in class 358, subclass 1.12.

Group III: Claims 8-12, 23-27, 38-42 drawn to an image processing apparatus for issuing a paper-supply command so that predetermined number of recording sheets (i.e. printer driver for issuing paper-supply command) are supplied to the one image forming apparatus when printing attributes are to be switched, classified in 358, subclass 1.1.

Group IV: Claims 46, 48-51, and 62-63 drawn to an image forming processing apparatus for routing print data to respective printer based upon print data attributes (i.e. resolution), for example, print data with lower resolution is routed to a monochrome printer, and print data with higher resolution is routed to a color printer, classified in 358, subclass 1.2 and 1.15.

Group V: Claims 52-58, 59-61, and 64-67 drawn to an image processing apparatus for inhibiting an insertion of paper media from another feeding unit into the pages at the positions corresponding to the image data of the group of image data having second attribute, classified in 358, subclass 1.14.

Inventions I-V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as an image processing apparatus for judging whether the predetermined print attributes belong to a particular printing

device and to re-execute if the judge is failed/negative, and to route the image data to the respective selected image forming apparatus according to predetermined attributes. Invention II has separate utility such as an image processing apparatus including a delimiter paper features for inserting a blank media/paper between each printed page by different image forming apparatuses. Invention III has separate utility such as an image processing apparatus for issuing a paper-supply command so that predetermined number of recording sheets (i.e. printer driver for issuing paper-supply command) are supplied to the one image forming apparatus when printing attributes are to be switched. Invention IV has separate utility such as an image forming processing apparatus for routing print data to respective printer based upon print data attributes (i.e. resolution), for example, print data with lower resolution is routed to a monochrome printer, and print data with higher resolution is routed to a color printer. Invention V has separate utility such as an image processing apparatus for inhibiting an insertion of paper media from another feeding unit into the pages at the positions corresponding to the image data of the group of image data having second attribute. See MPEP § 806.05(d).

A telephone call was made to Marc Rossi on 4/20/05 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (571) 2727439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham

GABRIEL GARCIA
PRIMARY EXAMINER